

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT
Issued under 401 KAR 52:020

Permittee Name: [American Fuji Seal, Inc.](#)
Mailing Address: [1051 Bloomfield Road, Bardstown, Kentucky 40004-9746](#)

Source Name: [American Fuji Seal, Inc.](#)
Mailing Address: [1051 Bloomfield Road
Bardstown, Kentucky 40004-9746](#)

Source Location: [1051 Bloomfield Road, Bardstown, Kentucky](#)
UTM: [4187.6N, 638.2E](#)

Permit Number: [VS-02-002](#)
Log Number: [54483](#)
Review Type: [Construction/Operation](#)
Source ID #: [21-179-00031](#)
SIC Code: [3089](#)

Regional Office: [Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601](#)

County: [Nelson](#)

Application
Complete Date: [April 18, 2002](#)
Issuance Date: [June 4, 2002](#)
Expiration Date: [June 4, 2007](#)

John S. Lyons, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the [construction/operation](#) of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE
REGULATIONS, AND OPERATING CONDITIONS**

N/A

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020 Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and requirements specified in Section E.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. EP42 Toray, Davis-Standard, Walton Stout Custom Built Tentering Line for the production of plastic film with a maximum PETG or Polystyrene pellet utilization rate of 1,000 lbs/hr (includes blower unload system with two cyclones; vacuum system to surge hoppers with filter; vacuum system to blenders, drying hopper, and extruder hoppers with filter; hoppers; blending systems; desiccant drying system; 2 extruders; mechanisms to stretch the extruded material; and turret winders)	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

N/A

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
2. Monitoring and record keeping shall be performed to the extent necessary to yield reliable data for purposes of demonstration of continuing compliance with the conditions of this permit. A log shall be kept of all routine and non-routine maintenance performed on each unit in this permit, including control devices. A log of the monthly raw material consumption and monthly production rates shall be kept available at the facility. Compliance with the opacity emission limit will be assumed if operated and maintained properly (except during inspections) and other emission limits may be demonstrated by calculations.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the materials incorporated by reference in 401 KAR 52:020 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Pursuant to Section 1b (IV)(2) of the materials incorporated by reference in 401 KAR 52:020 Section 10, records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality shall be retained by the permittee for a period of five years. In accordance with Section 1a (8) of the materials incorporated by reference in 401 KAR 52:020 Section 10, these records shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality.
3. In accordance with the requirements of Regulation 401 KAR 52:020 Section 3(1)(h) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Access and copy any records required by this permit, enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation; and
 - b. Sample or monitor substances or parameters that affect compliance with the permit or any applicable requirements.Reasonable times include all hours of operation, normal office hours, and during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Pursuant to Section 1b V(1) of the material incorporated by reference in 401 KAR 52:020 Section 10, summary reports of any monitoring required by this permit, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. Reports for emission units that are still under construction or emission units that have not commenced operation at the end of the period shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. All monitoring summary reports shall:
 - a. Be certified by a responsible official pursuant to 401 KAR 52:020 Section 23,
 - b. Clearly identify all deviations from permit requirements, and
 - c. Be submitted prior to January 30th and July 30th of each year.
7. In accordance with the provisions of 401KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
8. Pursuant to Section 1b V(3) and (4) of the material incorporated by reference in 401 KAR 52:020 Section 10, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within [30 days](#). Other deviations from permit requirements shall [be included in the semiannual report required by Section F.5](#).
9. Pursuant to 401KAR 52:020, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Regional Office listed on the front of this permit, the Division's Central Files, and the U.S. EPA in accordance with the following requirements:
 - a. Identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status regarding each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent; and
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the year covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

**Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601**

**U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

10. In accordance with Regulation 401 KAR 52:020, Section 22, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.
11. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:020 and the Clean Air Act and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit. [Section 1a (3) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
2. Notification by the permittee of a planned change or anticipated noncompliance, or filing of a request for any permit revision, reissuance, or rescission shall not stay any permit condition. [Section 1a (6) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
3. Pursuant to Section 1a (3) of the materials incorporated by reference in 401 KAR 52:020 Section 10, 401 KAR 52:020 Section 7(3), and 401 KAR 50:060 Section 2, this permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020 Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020 Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish upon request information requested by the division to determine compliance with the permit or to determine if cause exists for modifying, revoking and reissuing, or terminating the permit. [Sections 1a (7) and (8) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority. [401 KAR 52:020 Section 7(1)]
6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [Section 1a (14) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [Section 1a (4) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States. [Section 1a (15)(b) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6). [Section 1a (10) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:020 Section 11(3)(b)]
11. This permit does not convey property rights or exclusive privileges. [Section 1a (9) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 52:020 Section 11(3)(d)]
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 52:020 Section 11(3)(a)]
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor pre-construction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

SECTION G - GENERAL PROVISIONS (CONTINUED)

16. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
- (a) Applicable requirements included and specifically identified in this permit; and
 - (b) Non-applicable requirements expressly identified in this permit.

(b) Permit Expiration and Reapplication Requirements

- 1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 52:020 Section 12]
- 2. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the division after the completeness determination has been made on any application, by whatever deadline the division sets. [401 KAR 52:020 Section 8(2)]

(c) Permit Revisions

- 1. Minor permit revision procedures specified in 401 KAR 52:020 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020 Section 14 (2).
- 2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

- 1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.
 3. Affected facilities that are not completed in accordance with 401 KAR 52:020 Section 3(2) shall lose the construction and operation authorization granted in this permit. Accordingly:
 - a. Construction shall commence no later than 18 months after the date of issue of this permit;
 - b. Construction shall not begin and discontinue for 18 months or more unless the construction authorized is approved as a phased project;
 - c. Construction shall be completed within 18 months of the scheduled completion date; and
 - d. Each phase of a phased construction project shall commence construction within 18 months of the projected and approved commencement date.Upon a written request, the division may extend these time periods if the source shows good cause.
 4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.
 5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements.
- (e) Acid Rain Program Requirements
1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the division as promptly as possible; and,
 - e. Pursuant to 401 KAR 52:020 and 401 KAR 50:055, the permittee submitted written notice of the emergency to the division not later than two (2) working days after the time when emission limitations were exceeded due to the emergency and any other time that the director of the division requests. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
2. Notification of the division does not relieve the source of any other local, state or federal notification requirements.
3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement. [401 KAR 52:020 Section 24(3)]
4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:020 Section 24(2)]

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346

2. If requested, the permittee shall submit additional relevant information to the division or the U.S. EPA.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A